

United States District Court for the Western District of Washington

Sai
Plaintiff

v.

Abdi *et al.*
Defendants

Civil Action No.:

2:17-cv-01941-RAJ
U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY



NOV 05 2018

Notice of appeal

Plaintiff hereby gives notice that they appeal to the United States Court of Appeals for the Ninth Circuit from all opinions, orders, R&Rs, and rulings in this case.¹ The orders appealed from include this Court's refusal to rule on (and thus constructive denial of) Plaintiff's still-pending CM/ECF motion; and this Court's implicit denial of their motion for stay (and, thereby, denial of their ability to file an objection to the 2nd R&R).

Plaintiff received no service of this Court's orders of August 8 or September 14, 2018. They were entirely unaware of either order until today, October 27, 2018, when they wondered why there had been no action on the June motion, and decided to look up the docket on PACER. They have continued to receive other mail normally throughout. Appeal as of right is timely, FRAP 4(a)(1)(B).

Because this Court's repeated (and previously noticed) failure to serve Plaintiff is a relevant fact for appeal, they request that the Clerk enter into the record for appeal all proofs of service on Plaintiff that this Court has. If this Court lacks proof of service for anything, Plaintiff requests that the Clerk enter into the record a statement to that effect, with explanation.

¹ Plaintiff notes that they currently have IFP status (on the basis of sealed affidavits), and appointment of counsel (on the basis of disability) in both *Sai v. Covenant*, No. 3:16-cv-1024 (N.D. Cal.) and *Sai v. TSA*, No. 1:14-cv-403 (D. D.C.). They would thus move for IFP status on appeal, but doing so from this Court would be futile, given its orders on the issue.



Respectfully submitted,

Sai, *plaintiff pro se*

legal@s.ai

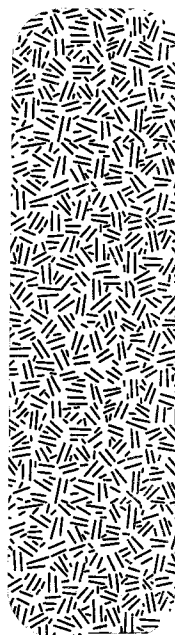
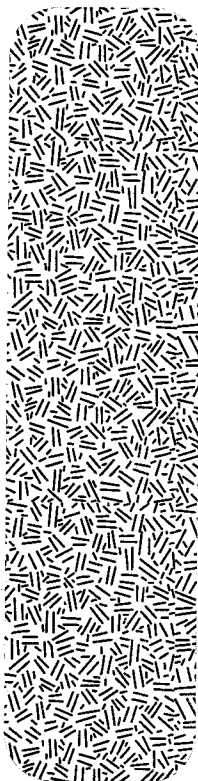
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500 Westover Dr. #4514, Sanford, NC 27330

Certificate of service

I hereby certify that today, October 27, 2018, I caused this motion to be mailed to the Court for filing by certified mail.





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